UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,846	12/12/2003	Manjeri Ramanathan Dharmarajan	JP920030198US1	1981

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EXAMINER
ALMEIDA, DEVIN E

ART UNIT	PAPER NUMBER
2132	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/734,846	DHARMARAJAN, MANJERI RAMANATHAN
	Examiner	Art Unit
	Devin Almeida	2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the papers filed 12/12/2003. Claims 1-35 were received for consideration. No preliminary amendments for the claims were filed. Currently claims 1-35 are under consideration.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18-35 are rejected under 35 U.S.C. 101 because the claim invention is directed to non-statutory subject matter. With the respect to claim 18-26, are apparatus claims whose 'means' are described in the specification as software (page 12 line 30 – page 13 line 5). Software by itself is not statutory. A claim to a data structure, per se, or other functional descriptive material, including computer programs, per se, is not patent eligible subject matter. This is exemplified in In re Warmerdam 31 USPQ2d 1754 where the rejection of a claim to a disembodied data structure was affirmed. Functional descriptive material claimed in combination with an appropriate computer readable medium to enable the functionality to be realized is patent eligible subject matter if it is capable of producing a useful, concrete and tangible result when used in the computer system. Compare Warmerdam to In re Lowry 32 USPQ2d 1031 where a memory with a data structure that increased computing efficiency was patentable.

With the respect to claim 27-35, the "computer readable medium," according to the specification may be "hard-wired medium such as exemplified in the Internet

system, or wireless medium such as exemplified in the GSM mobile telephone system".

This subject matter is not limited to a process, machine, manufacture, or a composition

of matter. Instead, it includes a form of energy. Energy does not fall within a statutory

category since it is clearly not a series of steps or acts to constitute a process, not a

mechanical device or combination of mechanical devices to constitute a machine, not a

tangible physical article or object which is some form of matter to be a product and

constitute a manufacture, and not a composition of two or more substances to constitute

a composition of matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-5, 10-12, 15, 18-22, 26-31 and 35 rejected under 35 U.S.C. 102(a) as

being anticipated by Guski et al. (U.S. Patent # 5,592,553). Guski teaches everything

with respect to claims 1, 18 and 27, a method of generating a password for at least one

application using a single key, said method comprising the steps of: receiving said

single key (see figure 3 element 306 and column 6 lines 20-41); receiving a first

application name associated with a first application (see figure 3 element 304 and

column 6 lines 20-41); and generating a first password for said first application, based

on at least said single key and said first application name (see figure 3 element 310 and column 6 lines 20-41).

With respect to claims 2, 19 and 28, receiving a second application name associated with a second application; and generating a second password for said second application, based on said single key and said second application name (see column 6 lines 20-41 and column 8 line 26 – column 9 line 21 i.e. it's inherent to generate multiple passwords because the generator takes the application ID and different application ID gives you different password).

With respect to claims 3, 20 and 29, receiving a time period; wherein generating said first password is further based on said time period (see figure 3 element 308 and column 6 lines 20-41).

With respect to claims 4, 21 and 30, receiving first password constraints for said first password; wherein generating said first password is further based on said first password constraints (see column 8 line 26 – column 9 line 21).

With respect to claims 5, 22, and 31, wherein generating said first password utilises at least one encryption technique selected from the group of encryption techniques consisting of Block Addition, International Data Encryption Algorithm (IDEA), BLOWFISH, Software-optimized Encryption Algorithm (SEAL), RC4, Data Encryption Standard (DES), and RSA (see column 8 lines 53-67).

With respect to claim 10, wherein said first application is selected from the group of applications consisting of bank account, Internet email account, Internet website, and computer account (see column 1 lines 16-29).

With respect to claim 11, a method of generating a password for a plurality of applications using a single key (see column 6 lines 20-41 and column 8 line 26 – column 9 line 21 i.e. it's inherent to generate multiple passwords because the generator takes the application ID and different application ID gives you different password), said method comprising the steps of: receiving a single key (see figure 3 element 306 and column 6 lines 20-41); receiving a first application name associated with a first application (see figure 3 element 304 and column 6 lines 20-41); generating a first password for said first application, based on at least said single key and said first application name (see figure 3 element 310 and column 6 lines 20-41); receiving a second application name associated with a second application; and generating a second password for said second application, based on at least said single key and said second application name (see column 6 lines 20-41 and column 8 line 26 – column 9 line 21 i.e. it would have been obvious that changing the application name would change the password).

With respect to claim 12, receiving first password constraints for said first application; wherein generating said first password is further based on said first password constraints (see column 8 line 26 – column 9 line 21).

With respect to claim 15, receiving second password constraints for said second application; wherein generating said second password is further based on said second password constraints (see column 7 line 58 – column 8 line 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6-9, 13, 14, 16, 17, 23-26, 32-35 rejected under 35 U.S.C. 103(a) as being

unpatentable over Guski et al. (U.S. Patent # 5,592,553) in view of well-known practices

in the art. Guski teaches everything with respect to claim 1, 18 and 27 above but does

not teach with respect to claims 6, 23 and 32, generating a first userid for said first

application, based on at least said single key and said first application name. It is well

known in the art that generating a first userid for said first application, based on at least

said single key and said first application name and Official Notice is taken. Guski

already teaches generating a password based on single key and said first application

name (see figure 3 element 310 and column 6 lines 20-41). It would have been obvious

at the time the invention was made to a person having ordinary skill in the art to which

said subject matter pertains to have generated a unique ID for an application based on

a key and an application name to make it harder for a third party to intercept and guess

the user ID. Therefore one would have been motivated to have included generating a

user ID.

With respect to claims 7, 24 and 33, receiving a first userid time period; wherein

generating said first userid is further based on said time period (see figure 3 element

308 and column 6 lines 20-41).

With respect to claims 8, 25 and 34, receiving first userid constraints for said first userid; wherein generating said first password is further based on said first userid constraints (see column 7 line 58 – column 8 line 6 and column 8 line 26 – column 9).

With respect to claims 9, 26, and 35, wherein generating said first password utilises at least one encryption technique selected from the group of encryption techniques consisting of Block Addition, International Data Encryption Algorithm (IDEA), BLOWFISH, Software-optimized Encryption Algorithm (SEAL), RC4, Data Encryption Standard (DES), and RSA (see column 6 lines 20-34).

With respect to claim 13, generating a first userid for said first application based on at least said single key and said first application name (see Smithies column 18 lines 5-14).

With respect to claim 14, receiving first userid constraints for said first application; wherein generating said first userid is further based on said first userid constraints (see column 7 line 58 – column 8 line 6 and column 8 line 26 – column 9).

With respect to claim 16, generating a second userid for said second application based on at least said single key and said second application name (see Smithies column 18 lines 5-14).

With respect to claim 17, receiving second userid constraints for said second application; wherein generating said second userid is further based on said second userid constraints (see column 7 line 58 – column 8 line 6 and column 8 line 26 – column 9).
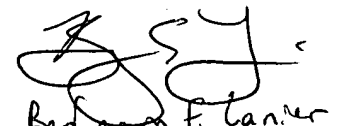
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Almeida whose telephone number is 571-270-1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to 5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DA
Devin Almeida
Patent Examiner
2/7/2007